



CITY OF SPRINGFIELD

Public Works Department
Street • Sanitation • Vehicle Maintenance

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TDEC
NASHVILLE
FIELD OFFICE
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2010 DEC -2 AM 11:08

November 30, 2010

Mr. Michael Finks
Division of Water Pollution Control
Tennessee Department of Environment and Conservation
Nashville Environmental Field Office
711 R.S. Gass Boulevard
Nashville, TN 37243

RE: Second Notice of Violation
NPDES Permit # TNS077640

Dear Mr. Finks:

This letter is in response to the subject Second Notice of Violation (NOV) dated September 30, 2010 and received by this office on October 1, 2010. The NOV detailed specific failures to comply with requirements contained in the City of Springfield's (City) Phase II Storm Water Permit as well as not meeting the corrective action deadlines stated in the July 14, 2009 response to the first NOV. Along with each specific failure stated in the September 30, 2010 NOV was a recommendation for corrective action to address each violation and deficiency. This letter outlines the City's actions and plans for incorporating the corrective actions into the City's storm water program to bring the City into compliance with storm water permit requirements.

The City appreciates the opportunity to work with TDEC in implementing the storm water permit requirements described in our NOI and incorporating the recommended actions contained in the subject NOV. The City's plan to address the recommended actions is described in the order in which they were listed in the September 30, 2010 letter.

Minimum Control Measure 1 **Public Education and Outreach**

NPDES Permit Section 4.2.1.1.1

For any types of activities you know to be stormwater pollutant hot spots in your area, you must prepare a clear set of requirements with respect to stormwater management at these establishments and ensure that the establishments have been made aware of those requirements.



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Recommended action: Identify hot spots as identified in the NPDES permit. Document a plan of action specifying the requirements for hot spots and how establishments will be made aware of those requirements.

Response

The City will develop a list of hot spots as defined in the permit and perform inspections for potential pollutants exposed to stormwater runoff by June 30, 2011. Brochures will be obtained from EPA and other appropriate sources and modified, if appropriate, to identify a clear set of requirements for stormwater management at each specific hotspot. The City's stormwater permit requirements and procedures to reduce pollutants associated with stormwater runoff will be described to appropriate personnel at each hot spot by June 30, 2011.

**Minimum Control Measure 3
Illicit Discharge Detection and Elimination**

NPDES Permit Section 4.2.3.1.1

You must develop, implement, and enforce a program to detect and eliminate illicit discharges into your small MS4.

Recommended Action: Develop and implement an Illicit Discharge Detection and Elimination program.

Response

An initial illicit discharge investigation was completed in the summer of 2004. A schedule for dry-weather screening of permitted outfalls and procedure for addressing and eliminating illicit discharges discovered through dry weather screening, identification of illicit discharges by the public or observed by City staff will be developed by June 30, 2011.

NPDES Permit Section 4.2.3.1.2

You must develop a storm sewer system map, showing the location of all outfalls and the names and location of all use-designated waters of the state that receive discharges from those outfalls.

Recommended action: Develop a complete storm sewer system map that shows the location of all outfalls and identification of the receiving streams. The map should be in a format that is easily accessible by the City of Springfield's stormwater employees.

Response

The original outfall map was created in ArcView version 3.1. The map was not presented during the inspection due to issues related to converting the original map to the latest version of ArcGIS 9.1. This conversion has now been successfully completed but some of the data fields were lost during the conversion. The missing data fields

have been added to the outfall map. The map will be updated to include all permit requirements by June 30, 2011 and will be in a format that will be accessible by the City's stormwater employees.

NPDES Permit Section 4.2.3.1.4

You must develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to your system.

Recommended action: Develop a plan and a set of procedures to implement an Illicit Discharge Detection and Elimination program. This plan should clearly outline how the City proposes to detect, address, and document non-stormwater discharges to the MS4.

Response

As stated in the response to the recommended action for NPDES Section 4.2.3.1.1 an initial illicit discharge investigation was completed in the summer of 2004. A standard operation procedure (SOP) for addressing, detecting and eliminating non-stormwater discharges to the MS4 and a follow-up illicit discharge investigation will be completed by June 30, 2011.

NPDES Permit Section 4.2.3.1.5

You must inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

Recommended action: Develop and implement a program to educate the public targeted audiences about the water quality impacts of illegal discharges and improper disposal of waste.

Response

Public education materials will be obtained from EPA and other appropriate resources related to specific target audiences to assist the City in educating the public about water quality impacts related to illegal discharges and improper disposal of wastes. A procedure will be developed for distribution of the public education materials to the targeted audiences by June 30, 2011.

NPDES Permit Section 4.2.3.1.6

You must address the following categories of non-stormwater discharges or flows (i.e. illicit discharges) only if you identify them as significant contributors of pollutants to your small MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, de-chlorinated swimming pool discharges, and street wash water.

Recommended action: The ordinance should be modified to only incorporate the allowable discharges identified in the NPDES permit (Section 1.4.2.3).

Response

The stormwater ordinance will be modified to specifically include allowable discharges as defined in Section 1.4.2.3 of the permit by June 30, 2011.

NPDES Permit Section 4.2.3.2

You must be able, by ordinance or other regulatory mechanism, to prohibit contamination of stormwater runoff from hot spots.

Recommended action: The ordinance should be modified to incorporate the NPDES permit requirements.

Response

The stormwater ordinance will be modified to specifically include prohibited contamination of stormwater runoff from hot spots by June 30, 2011.

**Minimum Control Measure 4
Construction Site Stormwater Runoff Control**

NPDES Permit Section 4.2.4.1

You must develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.

Recommended action: The ordinance should be modified to be consistent with the NPDES Permit requirements.

Response

The stormwater ordinance will be modified so that it will be consistent with permit requirements by June 30, 2011. Any exemptions not consistent with permit requirements will be removed from the stormwater ordinance.

NPDES Permit Section 4.2.4.1.3

Requirements corresponding to the Tennessee Construction General Permit, effective July 1, 2000:

(a) Necessity of an erosion prevention and sediment control/pollution prevention plan.

(b) Erosion and sediment control measures shall be designed to control the rainfall and runoff from a 2 year, 24 hour storm, as a minimum.

(c) For common drainage locations that serve an area with 10 or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from a 2 year, 24 hour storm and runoff coefficient from each disturbed acre drained, or equivalent control measures, shall be provided until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided until final stabilization of the site.

Recommended action: Adopt requirements corresponding to the Tennessee Construction General Permit.

Response

The stormwater ordinance will be revised to incorporate requirements from the latest Tennessee Construction General Permit by June 30, 2011.

NPDES Permit Section 4.2.4.1.4

Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

Recommended action: The ordinance should be modified and adopted to be consistent with the NPDES Permit requirements.

Response

The stormwater ordinance will be revised to incorporate control of construction wastes in accordance with the latest Tennessee Construction General Permit by June 30, 2011.

NPDES Permit Section 4.2.4.1.9

Your program must provide for the following:

- (a) Recognition of priority construction activity, including at a minimum those construction activities discharging directly into or immediately upstream of waters the state recognizes as impaired (for siltation) or high quality;*
- (b) Pre-construction meetings with construction-site operators, for priority construction activities; and*
- (c) Inspection by the MS4, of priority construction sites at least once per month.*

Recommended action: Establish and implement procedures for recognizing and inspecting priority construction sites. Sites discharging into impaired or high quality waters should receive more attention than sites less likely to affect water quality.

Response

An SOP for recognizing and inspecting construction sites with outfalls discharging into impaired or high quality waters will be developed by June 30, 2011.

**Minimum Control Measure 5
Post-Construction Stormwater Management**

NPDES Permit Section 4.2.5.1.2

You must develop and implement strategies which include a combination of structural and/or non-structural best management practices (BMP) strategy, which may include a guidance manual appropriate for your community.

Recommended action: Develop and implement a post-construction/BMP strategy which may include a guidance manual for your community. Establish procedures for plans review that address post-construction stormwater runoff.

Response

Structural and non-structural BMPs are required for new construction within the City. The City of Nashville's post-development stormwater requirements are used as guidance. A post-construction strategy will be developed that will address proposed developments and significant re-developments within the City by June 30, 2011. An SOP for reviewing post-development BMPs as part of the plan review process will be developed by June 30, 2011. An appropriate guidance manual for post-construction BMPs will be incorporated or referenced in the SOP.

NPDES Permit Section 4.2.5.1.3

You must develop and implement a set of requirements to establish, protect, and maintain water quality buffers in areas of new development and redevelopment.

Recommended action: Develop a set of procedures to implement post construction buffer requirements.

Response

The stormwater ordinance will be modified to include management and implementation of water quality buffers by June 30, 2011.

Minimum Control Measure 6 Pollution Prevention/Good Housekeeping

NPDES Permit Section 4.2.6.1.1

You must develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

NPDES Permit Section 4.2.6.1.2

Using training materials that are available from EPA, the division, or other organizations, your program must include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

NPDES Permit Section 4.2.6.1.3

You must consider the following in developing your program: maintenance activities, maintenance schedules, and long-term inspection procedures for structural and non-structural stormwater controls to reduce floatables and other pollutants discharged from your separate storm sewers; controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations and snow disposal areas operated by you, and waste transfer stations; procedures for properly disposing of waster removed from the separate storm sewers and areas listed above (such as dredged spoil, accumulated sediments, floatables, and other debris); and ways to ensure that new flood management projects assess the impacts on water quality and examine existing projects for incorporating additional water quality protection devices or practices. Operation and maintenance must be an integral component of all stormwater management programs. This measure is intended to improve the efficiency of these programs and require new programs where necessary. Properly developed and implemented operation and maintenance programs reduce the risk of water quality problems.

Recommended action: Develop and implement an operation and maintenance program with a training component to reduce the risk of water quality problems from all municipal facilities and operations.

Response

An SOP for operation and maintenance activities for City owned facilities incorporating permit requirements, with a training component, will be developed by June 30, 2011. The initial training of public works staff on pollution prevention and good housekeeping practices at municipal facilities was conducted on May 28, 2009.

General Recommendation

Since the Division's inspection found significant non-compliance in your stormwater management program, it is recommended that the City of Springfield allocate the necessary resources to allow for the proper development and implementation of this program so that permit requirements can be met. Additionally, the Division recommends the development of a stormwater management plan. This plan should contain standard operating procedures (SOP's) for all components of the program. A plan with relevant SOPs should provide guidance and direction for the implementation of an effective program. A well-developed and implemented plan will enable the City to show the program is moving toward improving water quality.

Response

The City will allocate the necessary resources to allow for the proper development and implementation of its stormwater management program to meet the requirements of the permit. A stormwater management plan with appropriate stormwater SOPs will be developed and implemented by June 30, 2011.

The City's stormwater ordinance will also be modified to incorporate the appropriate recommended actions contained in this NOV by June 30, 2011.

If you have any questions concerning our responses to the Notice of Violation of the City's storm water permit, please feel free to contact me at (615) 384-2746.

Sincerely,
City of Springfield

A handwritten signature in black ink, appearing to read "Paul J. Nutting", written in a cursive style.

Paul J. Nutting
City Manager